

## **EXECUTIVE ORDER NO. 11- 20**

WHEREAS, under chapter 89C of the Hawai'i Revised Statutes (HRS), the Governor has been granted the authority to make adjustments to the wages, hours, benefits, and other terms and conditions of employment for the employees in the Hawai'i State Public Library System who are excluded from collective bargaining; and

WHEREAS, the Board of Education concurs with the actions taken by the Governor as stated in this Executive Order; and

WHEREAS, for excluded employees who are civil service employees under the same classification systems as employees within collective bargaining units, chapter 89C requires that the adjustment be "not less than" those provided under the collective bargaining agreements for employees hired on a comparable basis; and

WHEREAS, chapter 89C also requires that the adjustments for excluded civil service employees result in compensation and benefit packages that are "at least equal to" the compensation and benefit packages provided under collective bargaining agreements for counterparts and subordinates within the Employer's jurisdiction; and

WHEREAS, the State, Judiciary, Hawai'i Health Systems Corporation, City and County of Honolulu, and Counties of Hawai'i, Maui and Kauai have offered certain terms and conditions to the Hawai'i Government Employees Association (HGEA), as the exclusive representatives for Bargaining Units (BUs) 02, 03, 04 and 13, for the July 1, 2011 through June 30, 2013 collective bargaining agreements, which terms and conditions have been accepted and ratified by the respective bargaining units; and

WHEREAS, consistent with the agreed-upon terms and conditions, the Director of Human Resources Development has recommended to the Governor the adjustments specified in this Executive Order for the employees in the Hawai'i State

Public Library System who are (1) civil service employees excluded from HGEA BUs 02, 03, 04, and 13, and (2) exempt employees who are excluded from collective bargaining (with the exception of the State Librarian);

NOW, THEREFORE, I, Neil Abercrombie, Governor of Hawai'i, pursuant to my executive authority under articles V and VII of the Constitution of the State of Hawai'i, the provisions of chapters 37 and 89C of the Hawai'i Revised Statutes, and all other applicable authority, do hereby order, effective July 1, 2011, the following for the aforementioned employees:

1. A temporary five percent (5%) across-the-board pay decrease of salaries and salary schedules in effect as of June 30, 2009 and
2. There shall be no step movements/within range progressions (WIRPs) during the period July 1, 2011 to and including June 30, 2013, and
3. The Employer shall pay the equivalent premium rates and administrative fees in accordance with the collective bargaining agreements as established by the Hawai'i Employer-Union Health Benefits Trust Fund (EUTF) for the respective health benefit plan.
4. Effective July 1, 2011 to and including June 30, 2013, employees covered by this Executive Order (except for 89-day hire employees) shall receive six (6) hours per month supplemental time off with pay to be used no later than June 30, 2013, all in accordance with the terms and conditions set forth in the Supplemental Time-Off Implementation Plan for State of Hawai'i Executive Branch for HGEA BUs 02, 03, 04, and 13.

IT IS FURTHER ORDERED that this Executive Order is not intended to create, and does not create, any rights or benefits, whether substantive or procedural,

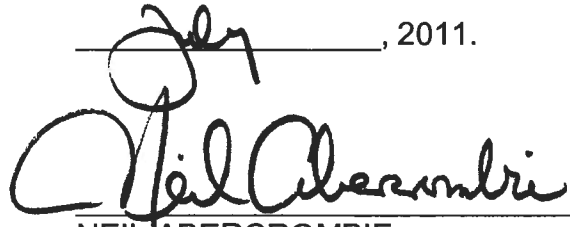
or enforceable at law or in equity, against the State of Hawai'i or its agencies, departments, entities, officers, employees, or any other person;

IT IS FURTHER ORDERED that these provisions are subject to amendment by Executive Order.

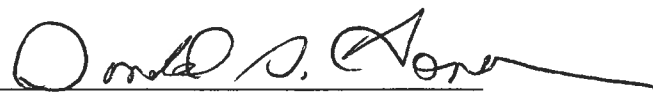
It is expressly intended that this Executive Order shall have retrospective operation to July 1, 2011.

The Director of Human Resources Development shall be responsible for the uniform administration of this Executive Order and is authorized to make any interpretations concerning the applicability of this Executive Order to employees of the Hawai'i State Public Library System who are excluded from collective bargaining coverage.


DONE at the State Capitol, Honolulu,  
State of Hawai'i, this 8<sup>th</sup> day of  
July, 2011.

  
NEIL ABERCROMBIE  
Governor

WITH THE CONCURRENCE OF THE  
BOARD OF EDUCATION:

By:   
Its Chair

APPROVED AS TO FORM:

  
DAVID M. LOUIE  
Attorney General